

EXHIBIT K

1
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 NICOLE MORRISON, AS ADMINISTRATOR FOR THE
ESTATE OF ROBERTO GRANT,

5 PLAINTIFF,

6
-against-

Case No.:

7 17-CV-6779

8 UNITED STATES OF AMERICA, ET AL,

9 DEFENDANTS.

10 -----X
11 DATE: October 28, 2020

12 TIME: 10:08 a.m.

13
14 DEPOSITION of a non-party
15 witness, OFFICER DIONYSIA GEORGOPOULOS,
16 taken by the Plaintiff, pursuant to a
17 Subpoena and to the Federal Rules of Civil
18 Procedure, held via video conference,
19 before Patricia A. Venditti, a Notary
20 Public of the State of New York.
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A P P E A R A N C E S:

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ESTATE OF ROBERTO GRANT

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* * *

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that the original of the deposition may be signed and sworn to by the witness before anyone authorized to administer an oath, with the same effect as if signed before a Judge of the Court; that an unsigned copy of the deposition may be used with the same force and effect as if signed by the witness, 30 days after service of the original & 1 copy of same upon counsel for the witness.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial.

* * * *

1 OFFICER GEORGOPOULOS
2 D I O N Y S I A G E O R G O P O U L O S ,
3 called as a witness, having been first duly
4 sworn by a Notary Public of the State of
5 New York, was examined and testified as
6 follows:

7 EXAMINATION BY

8 MR. LAUFER:

9 Q. Please state your name for the
10 record.

11 A. Dionysia Georgopoulos.

12 Q. What is your address?

13 A. 8 Donaldson Lane, Garnerville,
14 New York 10923.

15 (Due to the need for this
16 deposition to take place remotely
17 because of the Government's order for
18 social distancing, the parties will
19 stipulate that the Court Reporter may
20 swear in the witness over the video
21 conference and that the witness has
22 verified that she is in fact Dionysia
23 Georgopoulos.)

24 Q. Good morning, Officer
25 Georgopoulos. My name is Andrew Laufer.

1 OFFICER GEORGOPOULOS

2 I'm an attorney. I represent the estate of
3 Roberto Grant in a cause of action against
4 the United States. I'll be asking you some
5 questions regarding that.

6 Please allow me to ask my
7 question first before you begin your
8 response as the Court Reporter can't take
9 us down at the same time.

10 Please note that all of your
11 responses to my questions must be in verbal
12 form. No nodding or shaking of the head as
13 the Court Reporter can't take down
14 gestures.

15 Any time you want to take a
16 break, totally fine for whatever reason,
17 just not while a question is pending. You
18 have to answer the question first before
19 you take your break.

20 Do you have any questions
21 before we begin?

22 A. No.

23 Q. Have you ever done anything
24 like this before like giving testimony?

25 A. Not for these type of cases.

1 OFFICER GEORGOPOULOS

2 Q. Like under oath and stuff with
3 a Court Reporter there, have you ever done
4 that?

5 A. Yes.

6 Q. Just in general, I don't need
7 to get specific about why, what types of
8 cases did you do this for?

9 A. Family court.

10 Q. Are you currently employed?

11 A. Yes.

12 Q. What are you employed as?

13 A. A registered nurse, RN.

14 Q. When did you become an RN?

15 A. In 2017 I got my license and in
16 2018 is when I began working as a nurse.

17 Q. So prior to that, what was your
18 employment, did you work for DOP?

19 A. Yes.

20 Q. What year did you graduate high
21 school? I don't need to know where you
22 went.

23 A. In 2004.

24 Q. When were you first hired by
25 DOP?

1 OFFICER GEORGOPOULOS

2 A. In 2014. I'm not a hundred
3 percent sure what year.

4 Q. Okay, that's fine.

5 Is that when you entered the
6 academy, around?

7 A. Around that time, yes.

8 Q. So between 2004 and 2014, did
9 you go to college?

10 A. I was -- I entered the military
11 so I was in the Army.

12 Q. When did you serve?

13 A. From 2000 -- I entered in 2003,
14 I left in 2004 right after high school and
15 I got out in 2013.

16 Q. So you served nine years?

17 A. More than that. It should be
18 eleven years.

19 Q. Thank you for your service.

20 What did you do in the Army?
21 Did you have any specialty or anything like
22 that?

23 A. I was military police.

24 Q. After basic, was that your
25 first assignment?

1 OFFICER GEORGOPOULOS

2 A. No.

3 I did finance first. Then I
4 did a deployment and then military police.

5 Q. Let's talk about your MP
6 experience.

7 Did you go to a special school
8 to learn how to become an MP?

9 A. Yes.

10 Q. Can you just give me the basic
11 of what they taught you in that school?

12 A. They taught me de-escalation.
13 They taught me riot control, manning a
14 post, like arson duty. Then I belong to a
15 military police combat unit, so combat
16 skills.

17 Q. Did they teach you how to deal
18 with prisoners, overseeing them?

19 A. Yes.

20 Q. Keep them safe, things of that
21 nature?

22 A. Yes.

23 Q. Could you describe for me the
24 training that you received in the military
25 to do that?

1 OFFICER GEORGOPOULOS

2 A. They trained me on how to
3 transport prisoners, how to handcuff
4 properly, prisoner rights, what to do in
5 certain situations, emergencies.

6 Q. Like giving CPR?

7 A. They did teach CPR, but they
8 taught like basic CPR.

9 Q. How about dealing with
10 prisoner-on-prisoner violence?

11 A. The prisoner-on-prisoner
12 violence they did teach basically how to --
13 that's considered an emergency situation,
14 so how to handle that.

15 Q. How long was the schooling that
16 you went to?

17 A. It was for nine weeks, I
18 believe.

19 Q. Did they teach you anything
20 about investigating prisoner-on-prisoner
21 incidents, injuries to prisoners, maybe
22 someone who may have died?

23 A. They just taught us -- so
24 that's the ID, that's a special assignment
25 and I didn't belong to that, but they do

1 OFFICER GEORGOPOULOS

2 teach you on how to write reports, how to
3 write a report and that's pretty much it.
4 To write a report and how to preserve
5 evidence, how to de-escalate the situation
6 if you're coming in and they're still
7 fighting.

8 Q. You were an MP from what period
9 to what period while you were in the
10 military?

11 A. 2007 all the way until I left.

12 Q. That was maybe 2013 or so?

13 A. Just about, yeah.

14 Q. Were you honorably discharged?

15 A. Yes.

16 Q. Was that about the time that
17 you applied to be a correction officer for
18 DOP?

19 A. Yes, after I left.

20 Q. How did you go about doing
21 that?

22 A. I went about it talking to
23 other service members, most service members
24 that are MPs they tend to go into law
25 enforcement. So I had a few supervisors

1 OFFICER GEORGOPOULOS

2 that sort of guided me into how to apply
3 and how to enter law enforcement on the
4 civilian side.

5 Q. Do you recall, I think I asked
6 you this earlier, do you recall when you
7 were initially hired by DOP?

8 A. Yes.

9 Q. When was that?

10 A. I know it was in October of
11 2014. I'm just not sure about the year.

12 Q. That's okay, don't worry.

13 Did you initially -- what was
14 your first assignment when you were hired?

15 A. I was a CO.

16 Q. Did they assign you a
17 particular location?

18 A. No. I didn't have an assigned
19 unit because I was new.

20 Q. How about in terms of like
21 location, where you worked, correctional
22 facility?

23 A. MCC New York.

24 Q. How long -- you worked a bit
25 before you went to the academy; is that

1 OFFICER GEORGOPOULOS

2 correct?

3 A. Right.

4 Q. How long did you work before
5 you went to the academy?

6 A. I know for sure it was longer
7 than the 90 days. For my understanding
8 they are supposed to send you to the
9 academy within 90 days, but I was sent
10 after.

11 Q. Any particular reason why they
12 did that or you don't know?

13 A. Something to do with the hold
14 on the academy side. I'm not a hundred
15 percent sure. They extended the on-the-job
16 training prior to going into the academy.

17 Q. Right, to make sure that the
18 job was suitable for you?

19 A. I'm not sure if that was the
20 reason why, but...

21 Q. That's fine.

22 Where is the academy located,
23 down in Georgia?

24 A. In Georgia.

25 Q. Where in George?

1 OFFICER GEORGOPOULOS

2 A. Glen Cove.

3 Q. How long was the academy for?

4 A. Two weeks.

5 Q. Can you just describe for me
6 what you learned at the academy?

7 A. It was a lot of information.
8 Let's see. How to basically manage, how to
9 understand the prison system, the hierarchy
10 of it, the management side of it. My
11 responsibilities, my duties.

12 They gave us a lot of
13 scenario-based training. Basically how to
14 react to certain situations.

15 Q. Prisoner-on-prisoner violence?

16 A. Prisoner-on-prisoner violence.
17 I remember there was one training with --
18 it wasn't for me necessarily because MCC is
19 a high-rise building, but they do teach you
20 on what happens when inmates are outside in
21 a courtyard and how you have regular
22 civilians from the local area reacting to
23 certain inmates.

24 For example, we do have a lot
25 of convicted pedophiles and basically how

1 OFFICER GEORGOPOULOS

2 to de-escalate that situation. How to
3 separate the inmates from regular civilians
4 and how to keep control basically and
5 de-escalate.

6 Q. Care, custody and control of
7 the inmates?

8 A. Correct.

9 Q. How about investigating
10 inmate-on-inmate violence?

11 A. We were taught basically how to
12 separate. So if there is a fight everyone
13 gets separated and then from there we are
14 suppose to of course respond by pressing a
15 body alarm and the lieutenant and a few
16 staff should come up and SIA should be
17 notified and typically that's done by the
18 lieutenant.

19 Out of courtesy of course we
20 notify SIA at well just so they're aware.

21 Q. You can directly notify SIA?

22 A. I used to do it, but
23 technically it's supposed to come from the
24 lieutenant, but it's still a heads up, hey,
25 there was a situation that happened here.

1 OFFICER GEORGOPOULOS

2 Q. Is that the operations
3 lieutenant?

4 A. Typically it's the operations
5 lieutenant. Sometimes if the operations
6 lieutenant is handling another situation,
7 then the activities lieutenant takes over.

8 Q. Okay.

9 Did you successfully complete
10 the academy?

11 A. Yes.

12 Q. What was your first assignment?
13 Like what correctional facility were you
14 assigned to out of the academy?

15 A. Metropolitan Correctional.

16 Q. Manhattan?

17 A. In Manhattan.

18 Q. Do you recall what time period
19 that was?

20 A. From the time I got hired in
21 the DOP up until when I had resigned which
22 was in 2019.

23 Q. Is there any reason why you
24 resigned?

25 A. Yes.

1 OFFICER GEORGOPOULOS

2 I resigned because I had my
3 license now as a registered nurse. I
4 thought it was that time to step out of law
5 enforcement and begin my career as a
6 registered nurse.

7 Q. Congratulation on that as well?

8 A. Thank you.

9 Q. So when you were first assigned
10 to be DOP, do you recall having heading to
11 MCC? Do you recall the date?

12 A. I just know I got hired
13 October. I believe it was October 5, 2014.
14 Again, the year I don't remember.

15 Q. When you were first hired after
16 the academy, I mean not hired, when you
17 were placed back at MCC, could you describe
18 for me what your initial assignment was?

19 A. I had a lot of assignments
20 because I was new. I was rotated to
21 different units.

22 Q. Did any of your assignments
23 require you to work out of 11 South?

24 A. Yes.

25 Q. You're familiar with the prison

1 OFFICER GEORGOPOULOS

2 layout; right?

3 A. Yes.

4 Q. In relation to the entire
5 prison, where is 11 South located?

6 A. 11 South, that's the last floor
7 before you hit the rooftop floor. It was
8 the only unit where it's an open tier.

9 So the other units house two
10 inmates per cell, but in 11 South it was
11 about 14 to 16 inmates per tier. So it's
12 an open bay.

13 Q. How many tiers were there?

14 A. Six.

15 Q. The time period I really want
16 to focus on is maybe like May of 2015. It
17 may have changed subsequent to that, I'm
18 not sure, but that's really the time period
19 in terms of the way you describe things I
20 want to know about.

21 A. Okay.

22 Q. Are there any stations or guard
23 posts located within 11 South --

24 A. Yes.

25 Q. -- during that time period?

1 OFFICER GEORGOPOULOS

2 A. Yes.

3 Q. Where would they be located?

4 A. So when you come into the unit
5 there is the kitchen area, then when you
6 walk straight forward it would be on the
7 left-hand side. So it's the bubble.
8 That's basically the officer's station.

9 Q. Is that an enclosed area, is it
10 just a desk or something else?

11 A. It's an enclosed area.

12 Q. How many officers can fit in
13 there?

14 A. With three officers it's
15 crowded, but you can fit three. You can
16 fit four, it's very crowded. It's a small
17 station.

18 Q. Usually, how many officers are
19 assigned to that post?

20 A. During that time it's usually
21 two officers for that particular unit.

22 Q. Prior to May of 2015 do you
23 recall ever being assigned to that post?

24 A. I don't recall specifically.
25 Again, I was rotated to many units.

1 OFFICER GEORGOPOULOS

2 Q. So would it be fair to say that
3 during the time period of May 2015 you were
4 still in this rotational phase?

5 A. Correct.

6 Q. Do you recall when you were
7 assigned to 11 South around this time
8 period how you would go about doing your
9 duties and responsibilities for care,
10 custody and control of the inmates?

11 A. How I did it?

12 Q. Yes.

13 A. I recall.

14 Q. Could you describe for me how
15 you would go about doing it?

16 A. Usually, I would come in, I was
17 told where I would be working at. I would
18 go and relieve the officer and usually when
19 you come in that's typically when the count
20 begins, once the new officers are on duty.
21 That's what I did.

22 Typically in that unit we wait
23 for the second officer, you don't go by
24 yourself to any of the tiers.

25 Q. Right.

1 OFFICER GEORGOPOULOS

2 There is usually a gate that
3 prevents people from going inside the tier
4 from the main area; is that correct?

5 A. Right. If we have the gates
6 locked, yes.

7 Q. Would you patrol the various
8 tiers in front of these gates regularly
9 when you're assigned that post?

10 A. You do patrol throughout the
11 shift, but when you come in initially all
12 the inmates are already inside the tier,
13 the gates are locked and it should be count
14 down time.

15 Meaning me and that second
16 officer, we are going to go tier by tier
17 and inspect the inmates head to toe and
18 every inmate is standing up for the count.

19 Q. Do you go inside the tiers to
20 do that?

21 A. Yes.

22 Q. Is there anything else that you
23 do when you patrol the tier after the
24 count?

25 A. As long as we count them, every

1 OFFICER GEORGOPOULOS

2 inmate is standing. There is bathrooms
3 inside the tiers, if there is somebody
4 using the bathroom we hold the count until
5 they get out of the bathroom and stand like
6 everybody else. We lock the gates and we
7 continue counting the next tiers.

8 Q. You ensure that everyone is
9 there?

10 A. Correct.

11 Q. After everyone is there you're
12 fine?

13 A. Right.

14 We take -- we do -- basically
15 we count so we should know how many heads
16 are in each tier and the standing is to
17 make sure that they can stand.

18 Q. Right, and that they're
19 physically capable of doing it?

20 A. Right. They're physically
21 capable, there isn't anything broken or
22 wasn't a recent fight or anything like
23 that.

24 Q. How often do you patrol the
25 various tiers outside of the gate during a

1 OFFICER GEORGOPOULOS

2 tour?

3 A. During the tour, a few times.
4 We will make rounds. We inspect certain
5 tiers. It's more random which tiers we go
6 to. We inspect the bathrooms of each tier.
7 We inspect -- basically what we are looking
8 for if there is any contraband inside these
9 tiers and we are just observing and
10 looking.

11 Q. During your patrols, do you go
12 inside the actual tiers?

13 A. Yes.

14 Q. You don't do that by yourself;
15 right?

16 A. At that time in that unit, no.
17 That's when there was a second officer
18 there.

19 Q. Why was that unit special in
20 any way that you couldn't do it by
21 yourself?

22 A. Well, the thing is that that's
23 a male unit and that there was a few units
24 that were known to have more fights than
25 other units and that was one of the units

1 OFFICER GEORGOPOULOS

2 that seemed to have a little bit of an
3 issue.

4 Q. Were some of those issues also
5 prisoners playing a choking game, anything
6 like that? They would choke each other
7 out?

8 A. I don't know about the choking
9 part, but I do know that, you know, it's a
10 jail, so there would be fights, lots of
11 contraband would be found.

12 If you look at the actual walls
13 of the unit, the ceilings, there would be
14 metal pieces missing from certain areas, so
15 we took that into account and report.

16 Q. What would those metal pieces
17 be used for? Why were they missing? Let's
18 withdraw that question and ask why were
19 those metal pieces missing?

20 A. We can only assume why they
21 were missing, but these are like the metal
22 pieces for like the central air, I guess
23 whatever system the jail ran on and if
24 there is metal pieces missing, these are
25 metal, like hard wire pieces, so most

1 OFFICER GEORGOPOULOS

2 likely to make weapons out of them to hide
3 them somewhere.

4 Q. You talked a little bit about
5 contraband, like drugs and things of that
6 nature; is that correct?

7 A. Right. Drugs and other
8 contraband.

9 Q. Was that a problem during this
10 time period in this unit?

11 A. That was a problem in almost
12 every unit, but, yes, in that unit as well.

13 Q. How about the drug K2, have you
14 ever heard of that drug?

15 A. Before coming into the jail I
16 didn't know what it was. Coming into the
17 jail I learned what it was and it has a
18 particular smell.

19 Q. Was it a problem in that unit
20 during that time period?

21 A. Yes.

22 Q. Were prisoners dealing K2 to
23 other prisoners?

24 A. That was the assumption.

25 Q. What do you know K2 to be?

1 OFFICER GEORGOPOULOS

2 A. I just know it smelled really
3 bad and we did have -- we had a few
4 instances, not necessarily in that unit in
5 11 South, but there were other units where
6 I remember there was a situation where they
7 were so high on K2 one inmate was paranoid,
8 he said he saw things that were not there.

9 We had instances where inmates
10 ran naked in the units because they were so
11 high, but then again we didn't know. We
12 don't know what drugs they were taking. We
13 just -- because of the smell we would
14 assume it would be K2.

15 Q. If you smelled this specific
16 smell, did you have any kind of
17 responsibility or anything that you did
18 about it?

19 A. The only thing that you can do
20 is look for it. If you smell it, someone
21 has it in the unit, you just have to keep
22 looking.

23 Sometimes randomly you would
24 find it, but they were very good in hiding
25 it somewhere.

1 OFFICER GEORGOPOULOS

2 Q. As soon as you smell it you
3 would go investigate in other words?

4 A. Right, because the smell was
5 very particular. It used to give me
6 headache.

7 Q. Do you know if K2 is known as
8 synthetic marijuana?

9 A. I don't know if it's a
10 synthetic marijuana just because I don't
11 know how it's made. I don't know what it
12 has in it.

13 Q. No problem.

14 Do you know how prisoners would
15 consume K2?

16 A. I just know that based on the
17 cloud of smoke I used to see quite often
18 I'm guessing they would smoke it.

19 Q. They would smoke it, okay.
20 Fair enough.

21 I'm going to draw your
22 attention to an incident involving my
23 client, Roberto Grant.

24 Prior to this incident, did you
25 ever know who Roberto Grant was?

1 OFFICER GEORGOPOULOS

2 A. I remember him.

3 Q. Did you have any kind of --
4 prior to this incident, did you have any
5 kind of interaction with him at all?

6 A. I had a few interactions with
7 him.

8 Q. Could you describe for me those
9 interactions?

10 A. Sure.

11 He was not a problematic
12 inmate. He just kind of went about his
13 business. Good morning, ma'am, that's it.
14 Very calm typically. I never witnessed him
15 getting into any altercations with any
16 inmates. He was calm.

17 Q. That's a good thing.

18 Was there any allegations that
19 you were aware of that he might have been
20 smoking or dealing K2?

21 A. There were allegations after
22 the incident. I personally though had
23 never seen him. I mean obviously they're
24 not going to do it in my face.

25 Q. Right.

1 OFFICER GEORGOPOULOS

2 So you didn't witness it.

3 Okay, fair enough.

4 I'm going to draw your
5 attention to May 18, 2015, the date of the
6 incident involving my client.

7 Do you recall if you were
8 working that evening?

9 A. Yes, I was working.

10 Q. Do you recall who you were
11 working with?

12 A. With Officer Kearins.

13 Q. Had you worked with Officer
14 Kearins before that evening?

15 A. Yes.

16 Q. What kind of work relationship
17 did you have with Officer Kearins?

18 A. I had a good rapport with him.
19 He was one of the officers that I remember
20 that trained me when I first started. He
21 was a very thorough very good officer.

22 Q. How many times prior to this
23 evening do you recall working with him?

24 A. When I first got hired in the
25 DOP I worked with him a bit, quite a bit.

1 OFFICER GEORGOPOULOS

2 I don't know how much of it, but definitely
3 he trained me and he trained me well.

4 Q. What tour were you working that
5 day, do you recall?

6 A. I believe I was working the
7 evening tour, so from 4:00 p.m. to
8 midnight.

9 Q. During that tour, do you recall
10 doing your normal rounds?

11 A. I know I made rounds. I don't
12 remember the specifics of the rounds, but I
13 do remember it.

14 Q. Did you do those rounds with
15 Officer Kearins or by yourself?

16 A. For the most part we will do
17 them together, but there were times when we
18 basically spread and he was in one area, I
19 was leaving another area.

20 Q. During that tour, prior to the
21 incident involving my client, did you smell
22 that K2 smell? Did you smell any of that?

23 A. I smelled it when the inmates
24 were shouting and screaming in the tier and
25 when we approached the tier. I remember

1 OFFICER GEORGOPOULOS

2 the smell and the cloud of smoke.

3 Q. Do you recall during this time
4 period was K2 a problem in that particular
5 tier?

6 A. Not necessarily in that
7 particular tier. In the whole jail I felt
8 like it was an issue.

9 Q. Let's talk about the incident a
10 bit.

11 What was your first indication
12 that something involving my client was
13 going on?

14 A. When the inmates started
15 yelling and screaming, but I still didn't
16 know who it was. I didn't know who it was
17 until I was actually inside of the tier and
18 I saw his face.

19 Q. So you first became aware
20 something was wrong involving -- you know
21 just something was wrong in general, what
22 did you do when you heard the other inmates
23 yelling or screaming or whatever?

24 A. So this was happening after
25 lockdown. So this was 10:00 p.m. lockdown.

1 OFFICER GEORGOPOULOS

2 Q. Right.

3 A. Meaning everyone was already
4 locked in their respective tiers.

5 Q. Right.

6 A. So once we were done I remember
7 the tier is the tier all the way to the
8 left on the bottom and I remember that
9 because it was the last tier we were in.

10 So when we did the count for
11 that tier, every inmate there was standing.
12 We counted and then we locked the gate. We
13 went back in the bubble and a short time
14 after that they were yelling and screaming.

15 So when me and the other
16 officer went down to the tier they were
17 already -- the gate was already closed and
18 locked. They just said he is not moving.

19 Q. Upon hearing that, what, if
20 anything, did you do?

21 A. I asked whose not moving?

22 Q. Did you receive a response?

23 A. No.

24 Q. You didn't receive a response,
25 what did you do?

1 OFFICER GEORGOPOULOS

2 A. One of the inmates said, well
3 aren't you going to open the grill, the
4 door? I said no. Because we don't know
5 what's going on, but the officer -- we
6 pressed the body alarm and they just kept
7 saying he is not moving.

8 So when Kearins pressed the
9 body alarm, that's the only information I
10 got, he is not moving. I didn't know who
11 it was, but once he pressed the BA, I
12 stepped out to go get the stretcher because
13 that's all I knew from what I was being
14 told, he is not moving.

15 So I went to go get the
16 stretcher to kind of save time, you know.
17 It takes a little while for the officers to
18 respond up there, so I figured let me grab
19 the stretcher like that so we are not
20 wasting time here.

21 Q. How long does it take the
22 officers to respond?

23 A. Typically they're there within
24 a minute.

25 Q. Where was the stretcher

1 OFFICER GEORGOPOULOS

2 located, was it on the tier, was it
3 somewhere else in the unit?

4 A. It was outside of the unit in
5 the hallway.

6 Q. Which tier was this occurring
7 on, do you recall?

8 A. When you come inside the jail
9 it's the tier that is all the way to this
10 side, to my right bottom tier (indicating).

11 Q. Right bottom, okay. There are
12 tiers above it?

13 A. Yes, there is a tier in the
14 top, in the bottle and there are middle
15 tiers, top and bottom. The left-hand side
16 top and bottom and there are the stairs to
17 go to the second floor.

18 Q. So this was the bottom tier?

19 A. Correct.

20 Q. This is something that is
21 easily accessible when you have to go into
22 the jail, right? That's one of the first
23 tiers you see?

24 A. Yes.

25 Q. So you went to get the

1 OFFICER GEORGOPOULOS

2 stretcher. After you got the stretcher,
3 what, if anything, did you do?

4 A. The officers were coming up so
5 that's when the door was unlocked. We went
6 in and I looked and it was -- if you go
7 inside the tier straight all the way to the
8 left bottom bunk and that's where the
9 inmate was found.

10 Q. Was he on the bunk, floor,
11 something else?

12 A. He was on the bunk, bottom
13 bunk.

14 Q. What, if anything, did you
15 observe when you initially saw him?

16 A. He wasn't responding to us.

17 Q. Did you know which inmate this
18 was at that time?

19 A. No, because I didn't see his
20 face because of the lighting right away.

21 Q. Was it darker because it was
22 after count?

23 A. It was after the count, so
24 sometimes the lights are kind of dark in
25 there and then some of the inmates, they

1 OFFICER GEORGOPOULOS

2 kind of rip their blankets and put it over
3 the lighting. That usually happens after
4 lockdown because we will take it from them.
5 That's considered contraband, once you
6 destroy property.

7 Q. So you didn't see his face.
8 What, if anything, did you do when you were
9 in the tier?

10 A. Well, he wasn't moving so I
11 remember getting the stretcher ready and
12 the two officers brought the inmate down to
13 the ground.

14 Q. Which two officers did that?

15 A. I know one of the officers was
16 Kearins, but I don't remember who was the
17 other officer. There was a lot of officers
18 at that point.

19 Q. What, if anything, did they do
20 with him on the ground?

21 A. They just basically took him
22 off the bottom bunk and placed him on the
23 ground, but I didn't know how because I was
24 focusing on opening the stretcher and
25 making sure that it's flat.

1 OFFICER GEORGOPOULOS

2 Q. Do you know -- when they were
3 transporting him from the bunk to the
4 ground, do you know whether or not they may
5 have accidentally dropped his body or dropped
6 his body at all?

7 A. I was told that after. That
8 was one of the accusations. I didn't see
9 them directly doing it and I didn't think
10 it was true because even though I didn't
11 see it I would have heard like a thud maybe
12 because he was in the bottom bunk. So I
13 didn't think that was possible. The bottom
14 bunk is pretty low to the ground as is it.

15 Q. How far from the ground is it,
16 do you recall?

17 A. I just know it's low. I don't
18 know how far down. It's a bottom bunk. It
19 hits me probably -- I'm five foot three, it
20 hits me right above my kneecap. It's
21 pretty low.

22 Q. What, if anything, did they do
23 with him?

24 A. That's when I had seen him, I
25 saw who it was and I remember his gray

1 OFFICER GEORGOPOULOS

2 pants, he had like a stain in front of the
3 gray pants. It looked like he went on
4 himself. His skin wasn't the same from
5 what I remembered. So he had like shiny
6 dark skin and he was really gray and he had
7 foam coming out of his mouth.

8 So I went and touched his
9 wrist, I wanted to check if he had a pulse
10 because he wasn't listening to us. He
11 wasn't responding. He wasn't moving at
12 all.

13 Q. Did you notice any blood on him
14 or on his face or anything?

15 A. I never noticed blood. I just
16 remember the foam out of his mouth. I
17 remember the stain that he had on his
18 sweatpants. He had gray sweatpants.

19 Q. Was he wet anywhere else on his
20 body, do you recall?

21 A. I don't remember.

22 Those are the two main things
23 that I remember seeing and then his skin.

24 Q. What, if anything, after you
25 saw him and made this initial observation,

1 OFFICER GEORGOPOULOS

2 did you see anything else?

3 A. No, because I had checked his
4 pulse and once I didn't feel a pulse I told
5 Kearins we have to do CPR, he is not -- I
6 don't feel a pulse.

7 Q. Who did CPR, do you know?

8 A. Me and Officer Kearins.

9 Q. Both of you administered CPR?

10 A. Yes.

11 Q. Could you describe for me how
12 you administered CPR?

13 A. So I did -- I was the chest. I
14 did the chest compressions and Kearins did
15 the breaths, the rescue breaths.

16 However, when he did the rescue
17 breaths I remember looking and I didn't see
18 his chest rising. So I told Kearins I
19 don't think the breath went in, give him
20 another breath and I'll continue the chest
21 compressions.

22 Q. Do you have any idea why you
23 think the breath didn't go in?

24 A. I had no idea why.

25 Q. Did you see any injury to Mr.

1 OFFICER GEORGOPOULOS

2 Grant's throat at all?

3 A. No.

4 I didn't know anything until
5 after the warden sent us an e-mail with the
6 autopsy report and that's when I kind of
7 figure why the breaths weren't going in.

8 Q. What were you -- what was your
9 determination once you received the autopsy
10 report?

11 A. My determination?

12 Q. Yes, what did you think
13 happened to him? This is just you saying,
14 this not anyone else?

15 A. I truly felt that he was
16 murdered inside the tier.

17 Q. Do you feel it was another
18 prisoner that may have done that?

19 A. It had to have been another one
20 because they were locked down at the time
21 and it was whoever was inside that tier.

22 They were locked down and I
23 remember for the 10:00 count he was
24 standing up with no issues. So I felt like
25 from the moment we locked the grill and we

1 OFFICER GEORGOPOULOS

2 stepped away, whatever happened in my mind
3 happened at that time.

4 Q. How long before you discovered
5 Mr. Grant in the condition that he was in
6 when the alarm was sounded was the count?
7 How long before that?

8 A. How long was the count?

9 Q. No.
10 How long prior to the incident
11 to my client was the count that evening;
12 was it an hour before, half an hour before?

13 A. I remember the count always
14 starts specifically around 10, 10:00 p.m.
15 Because that tier was the last tier that we
16 counted, so it wasn't that long before they
17 started yelling and screaming from that
18 tier. I just don't remember the time
19 frame. It didn't take that long.

20 Q. 20 minutes, 15 minutes, 10
21 minutes, half an hour?

22 A. I would say maybe around that
23 time. It wasn't long.

24 Q. At the count Mr. Grant seemed
25 fine to you?

1 OFFICER GEORGOPOULOS

2 A. Every inmate was fine because
3 they were all standing. Even inmates that
4 -- like some inmates are lazy, they don't
5 want to get up and stand up. We are not
6 doing a count until everybody stands up.
7 That's just to assure that they can
8 physically stand up.

9 Q. So after you and Officer
10 Kearins were administering CPR, what, if
11 anything, did you guys do when you saw it
12 wasn't working?

13 A. So I told him to do the jaw
14 thrust which is basically -- so you do the
15 jaw thrust if you don't know what happened.
16 That's to ensure that you don't injure the
17 neck or the spine of whoever you're
18 administering CPR to.

19 Q. Did he do that?

20 A. He did.

21 Q. Was it effective?

22 A. It was somewhat effective. I
23 saw the chest rise a little bit, but if the
24 breaths are going in a little bit, it
25 counts as a breath going in. It's just

1 OFFICER GEORGOPOULOS

2 initially it really wasn't -- I didn't see
3 the chest rising.

4 Q. So after that was done, did Mr.
5 Grant regain consciousness or was he
6 responsive in any way?

7 A. No.

8 Q. What, if anything, did you and
9 Officer Kearins do after that?

10 A. I continued doing CPR. I
11 remember somebody put the defibrillator
12 like right next to me, but I don't remember
13 who gave it to me because it was a lot of
14 officers and I was focused on the CPR.

15 Q. Did you deploy the
16 defibrillator?

17 A. Yes.

18 Q. Was it effective?

19 A. No.

20 It gave him a couple of shocks
21 then it told us to continue CPR which we
22 did and at some point I believe it was the
23 lieutenant that said, all right, once
24 you're done with that compression, you guys
25 got to switch which we did, but he never --

1 OFFICER GEORGOPOULOS

2 the machine gave the shocks as it said and
3 he never woke up.

4 Q. Was that Lieutenant Delaney?

5 A. Yes.

6 Q. When you say switch, you
7 started doing breaths and Kearins started
8 doing chest compressions?

9 A. Until we saw other officers
10 stepped in.

11 Q. To do what?

12 A. To do CPR because I don't
13 recall for how long we were doing it, but
14 because we had initiated it, I just
15 remember being there for a while.

16 Q. What happened, if anything --
17 were those subsequent officers that took
18 over to you successful?

19 A. No one was successful, but we
20 continued -- I remember doing the
21 continuation of CPR all the way through the
22 ambulance stretcher. So the CPR never
23 stopped.

24 Q. At some point was Mr. Grant's
25 body moved to the stretcher?

1 OFFICER GEORGOPOULOS

2 A. Yes.

3 Q. CPR was still being done on
4 him?

5 A. Yes.

6 Q. Was he transported out of the
7 unit?

8 A. He was transported out of the
9 unit.

10 Q. That was by other COs?

11 A. By other COs because I had to
12 stay inside the unit.

13 Q. He was eventually brought I
14 guess to New York City EMS?

15 A. I think it was EMS. I'm not
16 sure what service.

17 Q. After Mr. Grant left the tier,
18 you just didn't see him again; right?

19 A. Right, but I remember when they
20 were taking him out they were still doing
21 CPR while they were rolling him out.

22 Q. After he left the tier, did you
23 speak to any inmates about what happened?

24 A. I started yelling at them what
25 happened and by that time no inmate was

1 OFFICER GEORGOPOULOS

2 inside the tier.

3 While all of that was being
4 done, they were actually moved. Everybody
5 was kicked off the tier and they were
6 already in the gym area. They were locked
7 inside of the gym area.

8 Q. You were yelling at them?

9 A. Yes.

10 Q. Were you upset about what
11 happened?

12 A. Yes, because I didn't know what
13 happened and I'm asking what happened and
14 no one is answering.

15 Q. Did you speak to any of those
16 inmates individually about what may have
17 happened?

18 A. I didn't approach any inmate
19 individually, but I remember some inmates
20 approaching me.

21 Q. That evening?

22 A. Not that evening.

23 Q. At another time?

24 A. Another time after.

25 Q. Do you recall what inmates

1 OFFICER GEORGOPOULOS

2 approached you about Mr. Grant's death?

3 A. I don't remember all the
4 inmates. I remember one inmate, I don't
5 remember his name, but he has like a
6 missing left eye or he is blind I guess in
7 one eye.

8 He basically approached me and
9 said, hey, I heard you killed Grant.

10 Q. He said that to you, that you
11 killed Grant?

12 A. And I responded and I said, no,
13 I heard you killed him.

14 Q. Did he say anything to that?

15 A. No. He started laughing and
16 walked away.

17 Q. He was just being stupid
18 basically?

19 A. Basically, yes. And I
20 responded stupidly as well.

21 Q. Any other inmates did you
22 discuss this with?

23 A. There was another inmate, I
24 just don't remember his name, that
25 basically said they were playing around in

1 OFFICER GEORGOPOULOS
2 the tier, it was just an accident and I
3 kind of -- I know I showed my expression on
4 my face and I didn't believe -- I mean,
5 it's an inmate, they're going to say stuff
6 as far as accusations and stuff, it's just
7 that the inmate was -- Grant was wheeled
8 out and not moving, so how is that playing
9 around?

10 Q. How is that a game?

11 A. Right.

12 Q. Was there any allegation that
13 Mr. Grant may have had to do with him
14 dealing K2?

15 A. There were many allegations
16 after the incident happened and, again, I
17 had never physically seen him dealing
18 anything. If something was done it had to
19 have been behind our backs. As drug
20 related, usually a lot of the instances
21 that were happening in the building were
22 drug related instances.

23 Then when we were at the tier
24 while they were yelling saying that he
25 wasn't moving there was a huge thick cloud

1 OFFICER GEORGOPOULOS

2 of smoke and the smell of K2 was there.
3 So, again, we didn't know if it was an
4 overdose of it. We don't know. We didn't
5 know what happened, why was he not moving.

6 Q. Was there any reason why the
7 wardens sent out the autopsy report to you
8 and others?

9 A. I have no idea. Because once I
10 received -- there was a few of us that
11 received the report. I'm not sure if they
12 did it sort of to like let us be aware of,
13 you know, the awareness, like of what
14 happened, but even with the autopsy report
15 I only made an assumption on my own. I
16 still don't know what happened.

17 Q. That's fine. I understand this
18 is just your belief.

19 A. Yeah.

20 Q. Did you hear any rumors of
21 maybe why he died at all?

22 A. Just that they were playing
23 around, that was I remember one. The other
24 thing that I found very odd, and it came
25 from one of the officers, and we were

1 OFFICER GEORGOPOULOS
2 talking about it. From my understanding
3 Grant was not inside that tier with unknown
4 inmates. He apparently had a friend there
5 that was inside the same tier as him from
6 the streets. Like from before they came
7 into the jail.

8 So I just happened to say how
9 is it you have your bestie in the same tier
10 and you don't know what happened.

11 Q. The prisoners generally -- it's
12 your experience prisoners generally don't
13 talk about things that might be illegal
14 that they may witness?

15 A. They don't, but it's not that
16 they don't talk about it, the thing is they
17 make up stuff to kind of throw attention
18 another way or flip it and accuse someone
19 that has nothing to do with things.

20 So it's not just the not
21 telling the truth, it's also in addition to
22 that now you're making up the whole story
23 and that happens often.

24 Q. Did you hear any rumors about
25 after Mr. Grant was choked or put in the

1 OFFICER GEORGOPOULOS
2 condition that he was in, that people were
3 taking drugs off him at all? People were
4 stealing drugs from his crotch area?

5 A. I remember when we approached
6 the tier they were trying, but it was a
7 thick cloud of smoke. You can do this to
8 fan out a thick cloud of smoke
9 (indicating). There was a lot of movement.

10 Q. For the record, waving your
11 hands to get rid of the smoke?

12 A. Waving my hands. That's what
13 some of the inmates were doing, they were
14 waving out the smoke. They know I get very
15 irritated when I smell it. They were
16 trying to wave it out and I saw fast
17 movement behind the inmates that were
18 talking to us saying, oh, he is not moving.

19 So I noticed people walking too
20 fast behind the inmates that were talking
21 to us.

22 Q. Like maybe they were trying to
23 hide?

24 A. They were either picking
25 something, hiding something. Physically I

1 OFFICER GEORGOPOULOS
2 couldn't see, but they were moving rather
3 quickly inside the tier. I know you're not
4 doing exercises in there.

5 Q. Why don't we go over your 302s.
6 I'm going to start with the first one from
7 June 18, 2015.

8 (Whereupon, the aforementioned
9 June 18, 2015 FBI document was marked
10 as Plaintiff's Exhibit 1 for
11 identification as of this date by the
12 Reporter.)

13 Q. Officer Georgopoulos, I'm going
14 to just have you take a look at this,
15 review the document.

16 When you're done reviewing the
17 document, just let me know, okay?

18 A. Okay.

19 Q. Could you describe for me --
20 are you familiar with this document?

21 A. I became familiar with it when
22 it was he mailed to me.

23 Q. I know it's a document that was
24 made by the FBI.

25 In terms of the contents of the

1 OFFICER GEORGOPOULOS

2 document, are you familiar with the writing
3 up here?

4 A. Yes.

5 Q. Was this write-up a statement
6 that you made to the FBI --

7 A. I believe.

8 Q. -- back on June 18, 2015?

9 A. I don't recall the date, but I
10 do recall speaking to them on two separate
11 occasions.

12 Q. This statement you gave to the
13 FBI was done in the ordinary scope of your
14 work at DOP; right?

15 A. Right.

16 Q. In this document, do you agree
17 with what was presented in here on that
18 date is it accurate?

19 A. It appears accurate. It's more
20 detailed. It's been a couple of years, so
21 I don't remember everything, but more or
22 less accurate.

23 Q. You mention in this document
24 that you noticed his eyes roll back -- "Mr.
25 Grant's eyes rolled back into his head and

1 OFFICER GEORGOPOULOS

2 that they weren't blotchy or red or
3 anything?"

4 A. I don't recall that today. But
5 I know I don't lie about incidents. This
6 is a new incident for me, so I wouldn't lie
7 about that.

8 Q. In your experience observing
9 inmates that may have been intoxicated with
10 K2, do their eyes change at all? Are they
11 red, are they blotchy or anything like
12 that?

13 A. Some inmates, their eyes get
14 really red and other inmates that are like
15 what appears to be paranoid, they don't
16 necessarily have their eyes red, but you
17 can look into their eyes and they just look
18 crazy.

19 Q. Did you see any of those signs
20 within Mr. Grant's eyes on that day?

21 A. No, I don't remember that.

22 Q. Let's go to the next exhibit.
23 We will go to the statement, the statement
24 of July 21, 2015, that's going to be
25 Plaintiff's 2 and it's U.S. bates 03478?

1 OFFICER GEORGOPOULOS

2 (Whereupon, July 21, 2015 FBI
3 document was marked as Plaintiff's
4 Exhibit 2 for identification as of
5 this date by the Reporter.)

6 Q. By the way, Officer, I know
7 you're a nurse now, but I'm just going to
8 call you by that title if that's cool.

9 We have three statements that
10 you made to the FBI. It's all right if you
11 don't remember everything.

12 Officer, I just want you to
13 read through this document, similar to the
14 other one. It's two pages actually.

15 When you're done reviewing it,
16 just let me know and we will start asking
17 you a few question about it, okay?

18 A. Okay.

19 Q. Are you done reviewing this
20 two-page document, Officer?

21 A. Yes.

22 Q. Are you familiar not with the
23 document the FBI created, but with the
24 contents created within?

25 A. Yes.

1 OFFICER GEORGOPOULOS

2 Q. Are these your statements that
3 you made in relation to the incident
4 involving my client, Roberto Grant?

5 A. Most of it, yes.

6 Q. Is there some of it that you
7 don't agree with or you just don't
8 remember?

9 A. I just didn't remember the
10 specifics of certain parts, but overall,
11 yes.

12 Q. So specifically I want you to
13 look at the second page of this document.
14 If you can scroll down to that.

15 So we will start with the first
16 full paragraph, "Georgopoulos has inspected
17 many inmates that smoke K2. She explained
18 that the use of K2 is identifiable on the
19 inmates because it sticks to their
20 uniforms."

21 Is that an accurate statement?

22 A. Yes.

23 Q. "Georgopoulos suspects that K2
24 enters MCC through random visitors
25 including dishonest attorneys and COs. She

1 OFFICER GEORGOPOULOS

2 recalled a story of a former CO, Fnu Brown,
3 that was arrested for smuggling in K2."

4 Is that accurate?

5 A. Yes.

6 Q. "Following the incident,
7 Georgopoulos and Kearins were taken off the
8 unit for two days. Georgopoulos believes
9 that the inmates blame Kearins for the
10 death of Grant because the inmates would
11 like Kearins removed from MCC. Kearins is
12 known as a good CO whom follows MCC policy
13 thoroughly."

14 You agree with that?

15 A. Yes.

16 MR. ISSACHAROFF: Objection.

17 Are you asking her if she
18 agrees today that Officer Kearins is
19 a good CO whom follows MCC policy
20 thoroughly?

21 MR. LAUFER: Yes.

22 MR. ISSACHAROFF: Can you ask
23 her that then?

24 Q. Do you agree with what your
25 counsel just said, that it's your belief

1 OFFICER GEORGOPOULOS

2 that the inmates blame, what it says there,
3 is that they blame Kearins for the death of
4 Grant because the inmates would like
5 Kearins removed from MCC. Kearins is known
6 as a good CO whom followed MCC policy
7 thoroughly.

8 Do you still agree with that
9 statement?

10 A. I still agree with that
11 statement.

12 Q. We will go to the next
13 paragraph here, "Georgopoulos heard a rumor
14 from in an inmate she identified as," and
15 it's redacted there, I don't know why we
16 have that redacted.

17 Do you remember the identity of
18 that inmate?

19 A. I don't.

20 Q. "That prior to the incident
21 Grant was horsing around with another
22 inmate who put Grant in a choke hold."

23 Do you recall that?

24 A. I recall giving a statement. I
25 just don't recall using the phrase horsing

1 OFFICER GEORGOPOULOS

2 around. It's not a phrase I use. Playing
3 around sounds more like me. I don't know
4 if they put their own spin on the words.

5 Q. "After Grant passed out due to
6 the choke hold other inmates took drugs
7 from Grant's crotch area."

8 Do you recall making that
9 statement?

10 A. I recall.

11 Q. You also noted that you don't
12 trust the inmates?

13 A. No, I don't.

14 Q. There is a final line, "Unit 11
15 South of MCC is known as the shank unit
16 because sharpened objects are always
17 confiscated from the unit inmates."

18 Do you recall that, making that
19 statement?

20 A. Yes.

21 Q. You made that statement?

22 A. Yes.

23 It was known as the shank unit.

24 Q. That's it for that document.

25 (Whereupon, the aforementioned

1 OFFICER GEORGOPOULOS

2 September 18, 2015 FBI document was
3 marked as Plaintiff's Exhibit 3 for
4 identification as of this date by the
5 Reporter.)

6 Q. I'm not going to go through
7 this, this is a long document here. It's a
8 six-page document. It's dated September
9 18, 2015. This is the third one that was
10 sent to you.

11 We are not going to go through
12 each line or anything like that. What I
13 would like you to do is just read the first
14 two paragraphs on page one and then the
15 last three paragraphs.

16 There are a bunch of redactions
17 there on page 6. Just read the first two
18 paragraphs of page 1, then just read the
19 last three paragraphs of page 6 where the
20 redactions are?

21 A. Okay.

22 Q. Are you done reading those last
23 few paragraphs?

24 A. I'm done reading them.

25 Q. Let's just talk about them

1 OFFICER GEORGOPOULOS

2 really quick. We will go back to the first
3 page?

4 Again, you recall having to do
5 a photo array with the FBI?

6 A. Yes.

7 Q. Do you recall the reason for
8 doing that photo array?

9 A. From my understanding it was
10 because it was an open tier, meaning there
11 are a lot of inmates inside of that tier,
12 so they wanted me to identify quite a few
13 inmates and I remember faces. Sometimes
14 I'll remember names, but more faces and
15 some inmates that they showed me pictures
16 of, I don't recall them at all.

17 Q. Let's just talk about I guess
18 the second paragraph. It has a redaction
19 in the second to last line. You had a
20 feeling of who may have been responsible
21 for doing what happened to -- responsible
22 for what happened to Mr. Grant.

23 Do you recall the identity of
24 the inmate?

25 A. I don't.

1 OFFICER GEORGOPOULOS

2 Q. Was it the one that you said
3 was Mr. Grant's friend or may have been a
4 different inmate?

5 A. I don't remember, but I do
6 remember the friend's name. That was like
7 after the incident. It was Faison,
8 something to that sound. I'm just not a
9 hundred percent sure.

10 Q. That's fine.

11 So was it your feeling that the
12 whole horseplay things was not correct,
13 that he was actually just choked to death
14 for whatever reason?

15 A. I really don't know what
16 happened inside that tier. I just felt
17 that, you know, I get it, they're men, they
18 are stronger than females physically, but I
19 don't understand how you go playing around
20 then someone is deceased. I just don't
21 understand the connection to that.

22 Q. So let's go to the last page.
23 There are three paragraphs there.

24 MR. LAUFER: Is there any
25 reason why any of this is redacted?

1 OFFICER GEORGOPOULOS

2 MR. ISSACHAROFF: We redacted
3 the names of inmates who provided
4 information to DOP that could be seen
5 as implicating another inmate in the
6 death of Roberto Grant. It's a
7 security concern.

8 MR. LAUFER: All right, I see
9 what you mean.

10 Can we at least get the
11 identity of who may have been the one
12 who was responsible, who they thought
13 was the one responsible?

14 MR. ISSACHAROFF: None of the
15 redacted information identifies the
16 person who is thought to be
17 responsible for the death.

18 The information is not in the
19 302, I can tell you the redaction --
20 I will double-check the underlying
21 information.

22 My understanding of the
23 redaction on page 1 from context is
24 that the redacted name, the inmate is
25 the inmate who relayed the rumor and

1 OFFICER GEORGOPOULOS

2 not the one who was rumored to have
3 been horsing around with him and the
4 information on page 6 is I believe
5 the same, although I don't recall off
6 the top of my head.

7 You know what, I'm happy to
8 take a pause while I check it out.

9 MR. LAUFER: Why don't we take
10 a pause really quick, then I'll ask
11 her related to the rest of these
12 paragraphs here.

13 We are going to take a second
14 break here.

15 MS. ISSACHAROFF: If we want to
16 take a short break I can confer with
17 the witness offline because it's
18 possible that I may be able to remove
19 one of the redactions.

20 MR. LAUFER: Okay.

21 MR. ISSACHAROFF: What I will
22 tell you is that it is clear to me
23 that the page 6 redactions all refer
24 to the inmate who, identification of
25 the inmate who relayed a rumor to her

1 OFFICER GEORGOPOULOS

2 or may have relayed a rumor to the
3 witness. It is possible, because the
4 name is different on page 1, that
5 that actually refers to the inmate
6 who may have been engaged in
7 horseplay rather than the inmate who
8 relayed the rumor in which case we
9 would un-redact it.

10 But if you want to pause this
11 and I can just call Officer
12 Georgopoulos and ask her about this,
13 I may be able to provide that.

14 MR. LAUFER: All right.
15 Obviously I'm not a fan of taking a
16 break.

17 MR. ISSACHAROFF: We can just
18 go through it and do it afterward.

19 MR. LAUFER: Why don't we go
20 through it. You can do that after
21 and I will ask the witness some
22 questions.

23 Q. Officer, just look at these
24 three paragraphs. You identify in the
25 second paragraph on page 6, the ones that

1 OFFICER GEORGOPOULOS

2 I'm concerned with that it says, "She was
3 then shown a photograph labeled B and
4 stated that he is involved with K2 as a
5 smoker and a dealer. Antonio Payano."

6 Do you remember that inmate?

7 A. Yes, I remember that inmate.

8 Q. Was he on the tier that
9 evening?

10 A. I don't remember him being on
11 that tier.

12 Q. Do you remember him being in
13 that housing area?

14 A. I don't remember what housing
15 area he was in.

16 Q. That's fine. So I'm done with
17 this particular document.

18 MR. LAUFER: I still have some
19 more questions to go. Do you want me
20 to complete what I'm doing here and
21 you can give her a call and ask her
22 about that and we can go back to
23 that?

24 MR. ISSACHAROFF: Sure.

25 Q. So I'm just going to ask you a

1 OFFICER GEORGOPOULOS

2 few more questions now.

3 During your career, how many
4 inmate deaths have you been involved with
5 while you were at DOP?

6 A. Inmate deaths?

7 Q. Yes.

8 A. Just one.

9 Q. Was it Mr. Grant's death?

10 A. Mr. Grant's death.

11 Q. I think you answered this
12 before, but a lot of the violence that you
13 experienced during your stint at DOP,
14 specifically around the time of Mr. Grant's
15 death, were they, the violence that you
16 dealt with between inmates, did it primary
17 deal with drugs?

18 A. From what I remember most of
19 the instances were related to drugs and
20 other instances were indirectly related to
21 drugs and then there was just instances
22 that I felt were like very minute.
23 Somebody stealing a bag of chips or, you
24 know, just stealing something from another
25 inmate.

1 OFFICER GEORGOPOULOS

2 Q. In general, are you aware of
3 any requirements how often units officers
4 are supposed to observe inmates during a
5 tour?

6 A. I mean, there is no set number
7 of times that you're supposed to observe
8 them, but you should always observe them,
9 always look and not just at the inmates,
10 you have to look past the inmates.

11 You have to look at the walls,
12 you have to look at the environment itself.
13 Sometimes it's not even physically
14 observing. Sometimes it's just you notice
15 a movement, you notice an inmate wearing
16 different types of shoes. Like Cadres,
17 they have working boots, they're not
18 supposed to wear that in the units, so if
19 you see somebody wearing them you know he
20 is about to stomp someone.

21 There are certain little key
22 things that you start looking at or if you
23 notice certain inmates they will hang
24 around certain areas, usually those are the
25 ones observing us while they are the

1 OFFICER GEORGOPOULOS

2 observers for other inmates to kind of do
3 trades, whatever it is that they're doing
4 behind our backs.

5 So once we get off the
6 officer's station and we get out, you see
7 them right away going inside a tier to
8 inform the other inmates that we are
9 stepping out to make rounds.

10 Q. Prior to the incident involving
11 my client that evening during the tour
12 after the count, between the time of the
13 count and the death of the inmate, Mr.
14 Grant, did you smell any kind of K2 in the
15 housing unit?

16 A. Typically the smell happens
17 once we lock the inmates in because after
18 the 10:00 p.m. count they don't come out
19 after that until the following morning for
20 the next shift.

21 So because they're locked down,
22 the only time you're suppose to open that
23 tier is during an emergency, meaning that
24 you already hit the BA, there is an actual
25 emergency. Other than that, you don't

1 OFFICER GEORGOPOULOS
2 unlock the grills unless -- there are
3 orderlies as well. There are orderlies
4 that work like at 3 in the morning, but
5 typically I notice that's the time when
6 they would smoke whatever they have because
7 they're inside the tiers and technically we
8 can't go in there just to open the grill
9 because we suspect somebody is smoking.

10 Q. But you're supposed to
11 investigate if you smell the K2 or whatever
12 burning?

13 A. Right.

14 Q. You're supposed to go
15 investigate; right?

16 A. Right.

17 Q. They usually light up right
18 after, that's been in your experience in
19 that tier?

20 A. From what I noticed, yes.

21 Q. They light up as soon as the
22 count is done and they're locked down?

23 A. As soon as the count is done
24 they do. You can smell it, but the thing
25 is, once they can hear our keys -- so they

1 OFFICER GEORGOPOULOS

2 know when we are approaching the tier and
3 that's typically when I hear the toilets
4 flushing.

5 So whatever they did have, they
6 already threw it and all you hear is a
7 bunch of toilets going off in the whole
8 building. You know, the whole building you
9 can hear it and they will know when we are
10 coming because of the keys.

11 Even if I put the keys in my
12 pockets. I've done that before, to kind of
13 muffle the sound of my keys. They can
14 still hear me or sense me coming.

15 Q. I think I may have asked this
16 before, how prevalent was K2 within MCC
17 during that time period?

18 A. The smell of it was probably.
19 Me finding it, not so much.

20 Q. Was it a problem though in the
21 prison during that time period?

22 A. I don't know if it was a
23 problem. I do know that based on other
24 instances that had happened before that was
25 like a big thing.

1 OFFICER GEORGOPOULOS

2 We are responsible for
3 listening to phone calls and once in a blue
4 we will hear, you know, them telling their
5 family member to bring something in for
6 them or whatever.

7 So we were aware, but it's just
8 a matter of physically finding it. It was
9 hard for me at least.

10 Q. In the housing units that
11 you've been in during this time period, did
12 inmates engage in a lot of horseplay?

13 A. I mean, not necessarily. At
14 least not -- they do stupid things in the
15 unit, but not necessarily fighting each
16 other because now we have to step in if we
17 see that.

18 Q. During this whole course over
19 what you observed, do inmates sometimes get
20 injured?

21 A. The thing is that prior to this
22 incident, I've never seen inmates
23 physically playing around in front of me.
24 I think they knew better then to do it in
25 front of us.

1 OFFICER GEORGOPOULOS

2 Q. Is there a sanction for inmates
3 engaging in horseplay?

4 A. I believe there is a sanction
5 for it because it's viewed as you're
6 basically physically touching another
7 inmate.

8 Q. From your observation of Grant
9 and when you were doing CPR, did he seem
10 intoxicated by K2 at all?

11 A. I don't remember that. Just
12 because when I had seen him, I was so
13 focused on him not moving and his skin
14 color being different and the foam out of
15 his mouth, so I really didn't jump to that.
16 It was more like he is not moving, we have
17 to do CPR.

18 MR. LAUFER: Why don't you do
19 what we suggested. I think I'm
20 almost done with Officer Georgopoulos
21 here.

22 Q. Let me just ask you one more
23 quick question and we can do what we
24 suggested.

25 What on the autopsy that you

1 OFFICER GEORGOPOULOS

2 read that you can recall caused you to
3 believe that Grant was murdered? What
4 specifically do you recall, anything?

5 A. Yes, so I don't remember the
6 specifics of the e-mail, but I remember
7 something to do with his bone like around
8 his neck, that it basically was obstructed.
9 Something to that.

10 So I just -- I mean, I've never
11 seen someone playing around and basically
12 obstructing somebody's airway. I've never
13 seen that and I already kind of assumed
14 that -- I mean, I figured they're going to
15 come to me and say anything, oh, yeah, we
16 were playing around or they were playing
17 around or whatever the case is to downplay
18 what actually happened.

19 Q. Was it the hyoid bone?

20 A. I don't remember the specifics
21 of which bone, but I do know it was around
22 his --

23 Q. Neck?

24 A. Yeah.

25 MR. LAUFER: So why don't we do

1 OFFICER GEORGOPOULOS

2 that now, Lucas, then I think I'm
3 almost done with the officer here.

4 MR. ISSACHAROFF: Officer, can
5 you just mute your microphone then
6 I'll give you a call.

7 THE WITNESS: Yes.

8 (Whereupon, a recess was
9 taken.)

10 MR. ISSACHAROFF: So the
11 redacted name that appears on page 1
12 of Exhibit 3 page bates stamp
13 U.S._03472 is Pierson and that is
14 P-I-E-R-S-O-N.

15 Having spoken with the witness,
16 she identified Pierson as the inmate
17 she had previously spoken about who
18 had the interaction with her of, oh,
19 I hear you killed Grant. No, I hear
20 you killed Grant.

21 Based on that recollection, her
22 interpretation of this paragraph is
23 that she had misidentified Pierson as
24 potentially having been the person
25 who told her the rumor.

1 OFFICER GEORGOPOULOS

2 Then later on, on page 6,
3 during the photo array she saw a
4 different inmate's photograph and
5 recalled this was in fact the person
6 who had told her the rumor. That
7 person identified on page 6 is the
8 same person whose identity is
9 redacted on page 2 of Exhibit 2.

10 Q. Do you recall any other
11 statements or comments or interaction you
12 had with this individual who came forward
13 with that information regarding this inmate
14 who came forward with that information
15 regarding Mr. Grant's death?

16 A. I don't remember.

17 MR. LAUFER: I don't think I
18 have anything else for the officer.

19 MR. ISSACHAROFF: Nothing
20 further from me.

21 MR. LAUFER: Officer
22 Georgopoulos, thank you very much. I
23 appreciate you appearing here today.
24 I wish you the best of luck in your
25 new career and we may send you a copy

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OFFICER GEORGOPOULOS
of the transcript just to sign.

You want us to do that through
counsel or do you want me to send it
directly to you?

MR. ISSACHAROFF: I would
prefer that it be done through me.

MR. LAUFER: Fantastic.

All right, guys, I think we are
done for the day.

(Whereupon, at 11:54 a.m. the
Examination of this witness was
concluded.)

° ° ° °

OFFICER GEORGOPOULOS
D E C L A R A T I O N

I hereby certify that having been
first duly sworn to testify to the truth, I
gave the above testimony.

I FURTHER CERTIFY that the foregoing
transcript is a true and correct transcript
of the testimony given by me at the time
and place specified hereinbefore.

DIONYSIA GEORGOPOULOS

Subscribed and sworn to before me
this _____ day of _____ 20____.

NOTARY PUBLIC

OFFICER GEORGOPOULOS

E X H I B I T S

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(None)	

OFFICER GEORGOPOULOS

C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

COUNTY OF RICHMOND)

I, PATRICIA A. VENDITTI, a Notary
Public for and within the State of New
York, do hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 6th day of November 2020.



PATRICIA A. VENDITTI

CASE NAME: Morrison, Nicole, Et Al. v. Usa, Et Al.
DATE OF DEPOSITION: 10/28/2020
WITNESSES' NAME: Officer Dionysia Georgopoulos

[illegible]

SUBSCRIBED AND SWORN TO BEFORE ME
THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES:

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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